

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**KEVIN BERNHARDT,**

**Plaintiff,**

**V.**

**RON JOHNS, et al.,**

**Defendants.**

**CASE NO. 4:09CV3004**

# MEMORANDUM AND ORDER

This matter is before the court on Plaintiff's Motion for Copies. (Filing No. [40](#).) However, Plaintiff does not have the right to receive copies of documents without payment, even if the court granted him leave to proceed in forma pauperis.<sup>1</sup> [28 U.S.C. § 1915](#); see also [Haymes v. Smith, 73 F.R.D. 572, 574 \(W.D.N.Y. 1976\)](#) ("The generally recognized rule is that a court may not authorize the commitment of federal funds to underwrite the necessary expenditures of an indigent civil litigant's action.") (citing [Tyler v. Lark, 472 F.2d 1077 \(8th Cir. 1973\)](#), other citations omitted). If Plaintiff requires copies of court documents, he should contact the Clerk of the court to determine the proper method of requesting and paying for copies. Plaintiff's Motion for Copies is denied. However, to the extent it has not already done so, the Clerk of the court shall provide copies of the official forms requested by Plaintiff at no charge.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Copies (Filing No. [40](#)) is denied. Plaintiff's Motion for Leave to Proceed In Forma Pauperis (Filing No. [41](#)) is denied as moot; and

<sup>1</sup>Plaintiff has not previously been given leave to proceed in forma pauperis. Rather, Defendants removed this matter from state court and paid the filing fee in full. (See Docket Sheet.)

2. The Clerk of the court is directed to provide to Plaintiff the official forms he requests in Filing No. [40](#) at no charge.

DATED this 8<sup>th</sup> day of April, 2010.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge

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